

REMARKS

Claims 1-3 are pending in the application. Claims 1-3 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Tanaka (U.S. Patent No. 5,432,566) and further in view of Kawabata (U.S. Patent No. 6,373,533).

Applicants respectfully submit that as discussed in the previously filed amendment, the Examiner has not established a prima facie case of obviousness under 35 U.S.C. § 103(a). Specifically, the Examiner does not provide any evidence of a suggestion or motivation other than a conclusory allegation that the "Examiner uses Kawabata invention into Tanaka invention, in order to modify the existing invention to produce claim invention of applicant." (November 10, 2003 Final Office Action, page 3, second full paragraph). Applicants respectfully submit that the aforementioned statement by the Examiner does not provide any evidence of a suggestion or motivation to combine the two cited references in the manner suggested by the Examiner. Accordingly, at least for this reason claims 1-3 are patentable over the cited references.

Further, as discussed in the previously filed amendment, the two cited references even when combined do not teach the claimed subject matter.

Applicants thank the Examiner for granting an in-person Interview in this case, which will be held on March 16, 2004.

Finally, the Final Office Action contains a number of statements reflecting characterizations of the claims and/or the related art. Regardless of whether any such statements are addressed by Applicants' remarks above, Applicants decline to automatically subscribe to any of these statements or characterizations made by the Examiner in the Final Office Action.

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Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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